

Message

From: Brahmbhatt, Roshni (she/her) [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1C7E3413BAA444FD8A7E15D2ABA7846F-RBRAHMBH]
Sent: 6/9/2022 7:20:06 PM
To: Lindberg, Jeff@ARB [Jeff.Lindberg@arb.ca.gov]; thomas.andrews@arb.ca.gov
CC: Chan, Janice [Chan.Janice@epa.gov]
Subject: FW: Discussion with EPA R9 and Kim Konte

Hi Jeff and Thomas,

Do you have time either tomorrow or next week to discuss how best to proceed?

Thanks,
Roshni

Roshni Brahmbhatt | Pronouns: she/her
Manager, Air Enforcement Office (ENF 2-1)
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 9
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From: Kim Konte <Ex. 6 Personal Privacy (PP)>
Sent: Wednesday, June 8, 2022 3:27 PM
To: Brahmbhatt, Roshni (she/her) <brahmbhatt.Roshni@epa.gov>
Cc: Chan, Janice <Chan.Janice@epa.gov>; Dennis Lo <Ex. 6 Personal Privacy (PP)>; Gill, Sonam <Gill.Sonam@epa.gov>; Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Swig, Sarah (Padilla) <Sarah_Swig@padilla.senate.gov>; Kevin Lien <Ex. 6 Personal Privacy (PP)>; Rios, Gerardo (he/him) <Rios.Gerardo@epa.gov>; thomas.andrews@arb.ca.gov; David.Mehl@arb.ca.gov; Thanh Luu <Ex. 6 Personal Privacy (PP)>; Graham, Courtney@ARB <courtney.graham@arb.ca.gov>; Admin of Stop Toxic Asphalt Pollutants in Irvine <Ex. 6 Personal Privacy (PP)>
Subject: Re: Discussion with EPA R9 and Kim Konte

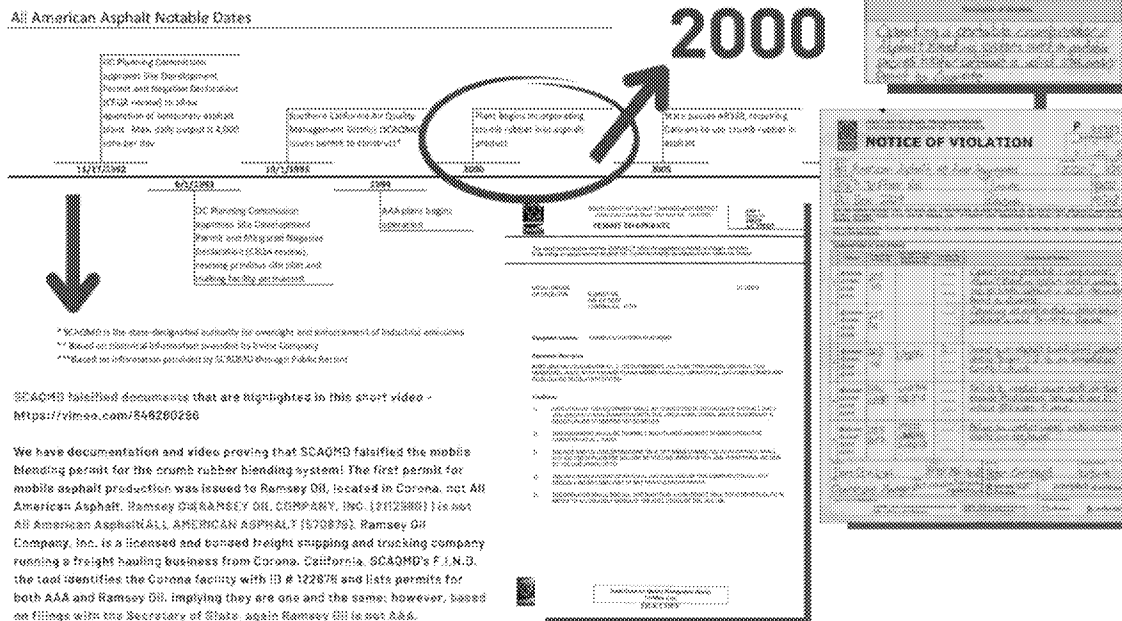
Hi Roshni & Team,

Thank you all for taking the time to meet with us last week! Per Lesley's email, we understand that the EPA and CARB are working diligently on the All American Asphalt (AAA) issue and that investigation is still in progress. In the meantime can you please issue AAA and SCAQMD a violation/penalty for just that (late with their applications), while the agencies continue to dig deeper into other areas of permit and Title V program enforcement breakdowns? We have receptors(homes) only 2,000 ft from this plant that continues to operate with impunity 24 hours a day, 7 days per week! We need swift action concerning this ongoing Asian environmental racism public health crisis impacting thousands of families!

As you and CARB confirmed AAA is operating out of compliance with the Clean Air Act and we are trying to understand what is the point of the Clean Air Act if it's not enforced. Especially in a timely matter. AAA and SCAQMD both should be monetarily penalized. SCAQMD is responsible for allowing this dramatic increase of

HAPs with receptors only 2,000 ft away! Someone needs to be held accountable for this epic failure in public trust and for exposing thousand of residents to unregulated and known HAPs.

Please find proof that SCAQMD falsified information concerning the permit AAA tried to pass off as a valid permit to operate Ramsay Oil's mobile crumb rubber blending system: <https://vimeo.com/646280296>



The mobile permit was improperly evaluated for a New Fixed Permit and thus the NOE is Invalid. The first permit for mobile asphalt production was issued to Ramsey Oil, located in Corona, Permit to Operate Analysis ("POA"), August 26, 2021, and the source test report has not been made public.

Ramsey Oil is not All American Asphalt. However South Coast AQMD, All American Asphalt is treated as if it was Ramsey Oil.

California, as a various locations permit (#F57256) for asphalt production in 2002. This permit allowed the operator to locate anywhere in the South Coast AQMD jurisdiction and operate according to certain conditions including the following: (1) the operator could not operate beyond 12 months at any one location, and (2) the District was to be informed in writing within five days of all-new operational locations. South Coast AQMD Permit # F57256. This kind of permitted mobile unit is typically used for road construction or in housing development but is not designed to be a fixed unit at a permanent asphalt facility.

Since 2015, AAA has experienced dramatic increases in its Volatile Organic Compound ("VOC ") emissions. Prior All American Asphalt disclosures on South Coast AQMD's FIND from 2006 through 2016 identified VOC emissions of 3-4 tons per year ("TPY.")

South Coast AQMDs F.I.N.D. identifies the Corona facility with ID # 122876 and lists permits for both AAA and Ramsey Oil, implying they are one and the same; however, based on filings with the Secretary of State, Ramsey Oil is not A.A.A. The District failed to include in this NOV several other violations including:

- Failure to appropriately notify the South Coast AQMD on the movement of the mobile unit (as per its permit condition; F57256 condition 5)
- Failure to submit a timely Title V application (as per Rule 3001).
- AAAs reported 2016 emissions erroneously represented the last low VOC emissions year, and ironically it is this year that is used by AAA for its AB 2588 emissions and risk evaluation to South Coast AQMD. See Air Toxics Emissions Inventory Report Reporting Year 2016, March 31, 2021, South Coast AQMD has confirmed that before the attention was brought to this issue by local residents in 2019, AAA

significantly underreported the metals and benzene emissions in 2016.
See <https://www.aqmd.gov/home/news-events/community-investigations/AAA-ab2588>.

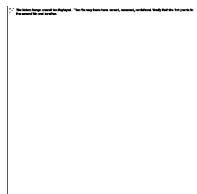
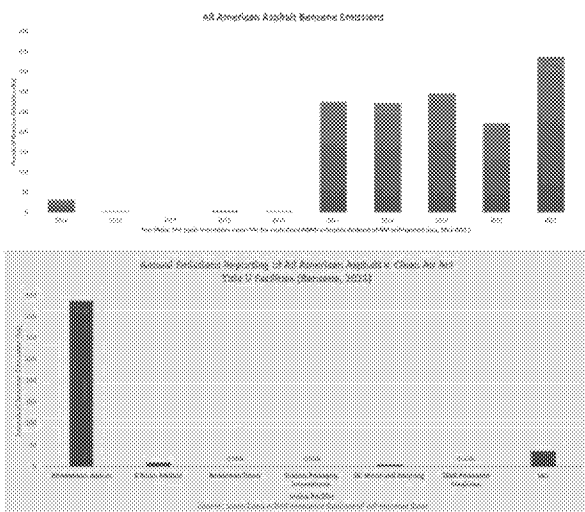
SCAQMD's Failed Enforcement & Permitting

South Coast AQMD has approved the revised Air Toxics Inventory Report (ATIR) for the All American Asphalt facility in Irvine (AAA) on December 2, 2021, with minor corrections. The facility was required to submit a Health Risk Assessment (HRA) based on the approved ATIR, which was submitted on February 1, 2022. Following a review, South Coast AQMD rejected the HRA on February 23, 2022, because it did not meet the general guidelines and did not include the correct emissions information. AAA will have 60 days to correct the deficiencies and resubmit the HRA, 33 days past the 60-day extension deadline that SCAQMD perpetually gives AAA.

SCAQMD's failure to be years late in implementing the Title V program when it was AAA's 2018 VOCs that exceeded the threshold of the Clean Air Act 10 ton threshold with 10,263 tons and in 2019 with 11,635 tons.

SCAQMD needs to be held accountable for failing to notify AAA in a timely matter and for failing to give AAA an NOV for AAA's Clean Air Act and Title V non-compliance. AAA's continued failure to be compliant should effectively render all permits invalid that have been awarded to AAA outside of the Clean Air Act.

Consequence To Our Community As A Result Of SCAQMD's Failed Enforcement



Kim Konte

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On Wed, Jun 1, 2022 at 5:32 PM Admin of Stop Toxic Asphalt Pollutants in Irvine <[Ex. 6 Personal Privacy \(PP\)](#)> wrote:

Hi Roshni,

Thank you very much for taking the time to meet with us today.

We understand that the EPA and CARB are working diligently on the All American Asphalt (AAA) issue and that investigation is still in progress. At this point though, since both the EPA and CARB are well aware of the fact that AAA

has been a couple years late with their application for the Title V permit and also the AB2588 program, why is it not possible to first issue them a violation/penalty for just that (late with their applications), while the agencies continue to dig deeper into other areas of concerns and issues? Is there a benefit of waiting for everything to get sorted out all at once?

We truly appreciate your patience with us!

Best Regards,
Lesley Tan.

On Wed, Jun 1, 2022 at 1:55 PM Kim Konte <Ex. 6 Personal Privacy (PP)> wrote:
Take-Two - On the first try the file size was too large.



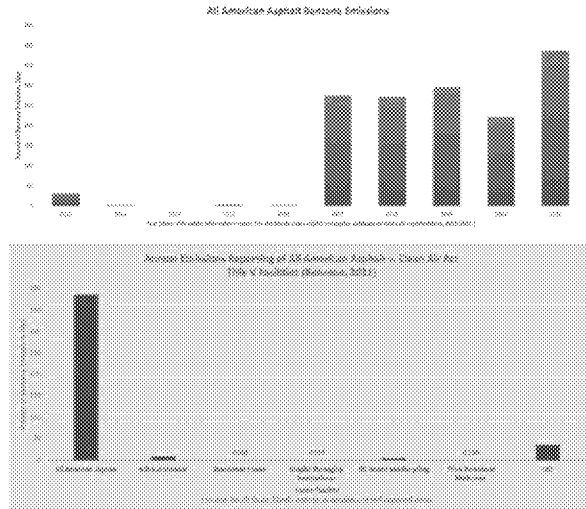
SCAQMD's Failed Enforcement & Permitting

South Coast AQMD has approved the revised Air Toxics Inventory Report (ATIR) for the All American Asphalt facility in Irvine (AAA) on December 7, 2021, with minor corrections. The facility was required to submit a Health Risk Assessment (HRA) based on the approved ATIR, which was submitted on February 1, 2022. Following a review, South Coast AQMD rejected the HRA on February 23, 2022, because it did not meet the general guidelines and did not include the correct emissions information. AAA will have 60 days to correct the deficiencies and resubmit the HRA. 30 days past the 90-day extension deadline that SCAQMD perpetually gives AAA.

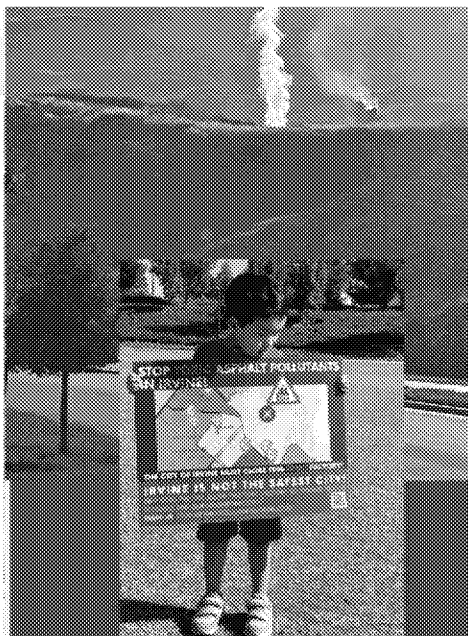
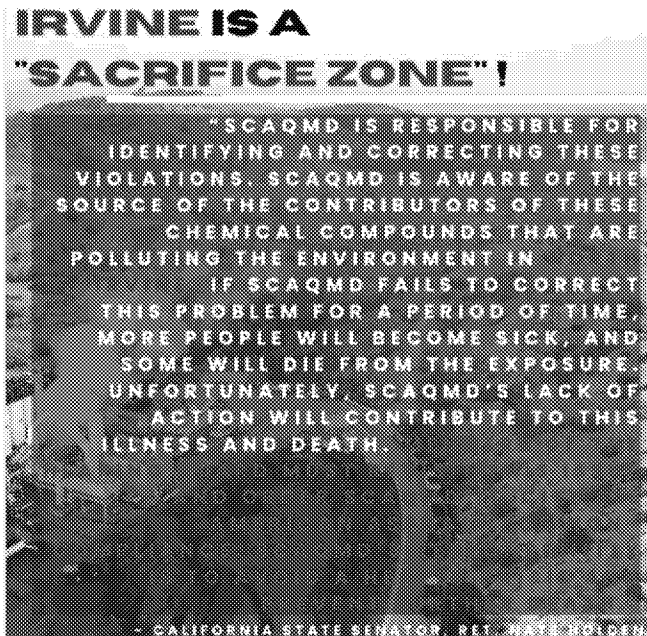
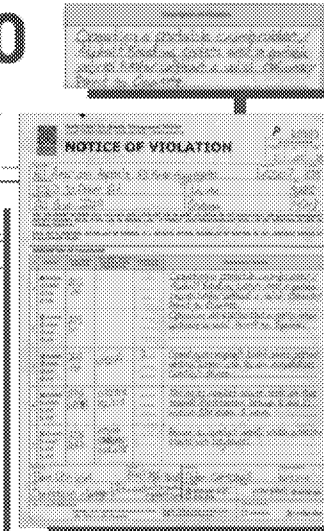
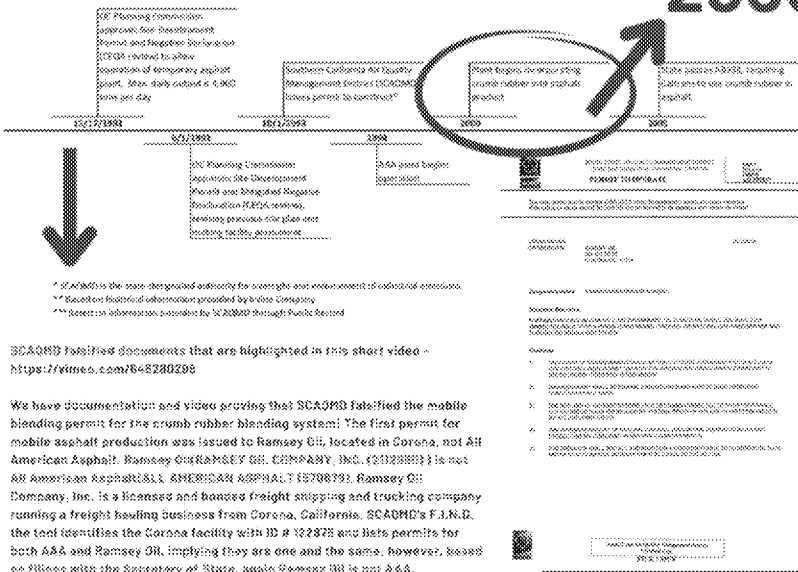
SCAQMD's failure to be years late in implementing the Title V program when it was AAA's 2018 VOCs that exceeded the threshold of the Clean Air Act 10 ton threshold with 18.253 tons and in 2019 with 11.95 tons.

SCAQMD needs to be held accountable for failing to notify AAA in a timely matter and for failing to give AAA an NQV for AAA's Clean Air Act and Title V non-compliance. AAA's continued failure to be compliant should effectively render all permits invalid that have been awarded to AAA outside of the Clean Air Act.

Consequence To Our Community As A Result Of SCAQMD's Failed Enforcement



All American Asphalt Notable Dates





Kim Konte

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On Wed, Jun 1, 2022 at 1:42 PM Kim Konte Ex. 6 Personal Privacy (PP) wrote:

Hi Roshni,

The NHS students put a few slides together for our meeting today. Please find them attached below.

In Gratitude,



Kim Konte

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On Wed, Mar 9, 2022 at 9:23 AM Gill, Sonam <Gill.Sonam@epa.gov> wrote:

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